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PATENT
Attorney Docket No. 96-007B2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hoerner, et al.

Group Art Unit: 3634

Serial No. 09/249,916

Examiner: Lev, B.

Filed: February 12, 1999

For: Coupling Mechanism and Panel for
Sectional Door

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OFFICE OF PETITION
DEPUTY A/C PATENTS

**PETITION FOR REVIVAL OF ABANDONED
APPLICATION PURSUANT TO 37 C.F.R. § 1.137(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Petition is being filed pursuant to 37 C.F.R. §1.137(b) to revive an unintentionally abandoned application. This application became abandoned on May 8, 2000 due to failure to respond to the Office Action of November 8, 1999 within the statutory period (shortened statutory period of three months, as extended by a three-month petition for extension of time). **NOTE:** A notice of abandonment has yet to be received in this case, and this Petition is being filed in light of the undersigned's knowledge of the fact that the case did indeed become abandoned for failure to respond to the Office Action. Authorization is hereby given to charge the Petition fee under 37 C.F.R. §1.17(m) of \$1,210 to Deposit Account 18-1450, and it respectfully requested that the fee be assessed by the Office in that manner.

As mentioned above, this application became abandoned due to the unintentional failure to respond to the November 8 Office Action. Rite-Hite Holding Corporation, who employs the undersigned attorney as Intellectual Property Counsel, also uses a Chicago-based law firm for patent overflow work, as well as docket management. In entering this Office Action into the docket management system at the Chicago law firm, a digit was incorrectly entered, and the six-month deadline for responding to the November 8 Office Action was keyed in as May 18, 2000. As the

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undersigned attorney was preparing the response to the outstanding Office Action on this May 18 date, it was pointed out to him by an administrative assistant that the mailing date of the Office Action was indeed November 08, 1999 as opposed to November 18, 1999. Since the six-month deadline had already passed, the prepared Office Action Response was not filed on that May 18, 2000. Instead, the instant Petition was prepared and filed in an expeditious manner. Accordingly, the entire delay in filing the required reply (submission of an Office Action Response and a three-month extension of time) from the due date of that reply until the filing of this Petition was unintentional.

Attached to this Petition is the response to the outstanding November 8 Office Action, specifically an Office Action Response, along with a Petition for Three-Month Extension of Time up to and including May 8, 2000.

Accordingly, it is submitted that the requirements of 37 C.F.R. §1.137(b) have been met in that this Petition is accompanied by:

- (1) The required reply, specifically an Office Action Response and Petition for Three-Month Extension of Time;
- (2) The Petition fee as set forth in §1.17(m) in that authorization to charge that fee to Deposit Account 18-1450 was given in the first paragraph of this Petition; and
- (3) A statement that the entire delay in filing the reply from its due date until the filing of this Petition was unintentional.

Given that the requirements of 37 C.F.R. §1.137(b) have been met, it is respectfully requested that this application be revived, the Office Action Response entered, and that prosecution continue.

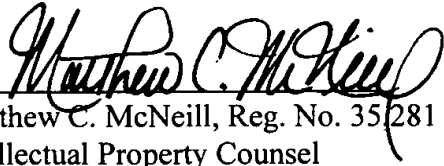
If, in the opinion of the Petitions Branch, a telephone conference would expedite the prosecution of the subject application, the Petitions Branch is invited to call the undersigned attorney at 414-362-0610.

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Signed at Milwaukee, in the County of Milwaukee and State of Wisconsin, on June 13, 2000.

Respectfully submitted,

RITE-HITE HOLDING CORPORATION

By 
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CERTIFICATE OF MAILING

I hereby certify that this PETITION FOR REVIVAL OF ABANDONED APPLICATION
PURSUANT TO 37 C.F.R. § 1.137(b) is being deposited with the United States Postal Service as
first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C.
20231, on June 13, 2000.

13-JUN-00
(date)

Matthew C. McPhee